

10/18/01

P21224.P01

# PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

P21224

Total Pages

Inventor(s) or Application Identifier  
Masami SHIRAI, Shunichiro WAKAMIYA, Homu  
TAKAYAMA, and Kenji KANEKO

Title: A SURVEYING INSTRUMENT

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

10/18/01  
09/17/01  
U.S. PTO  
JC973

## APPLICATION ELEMENTS

## ACCOMPANYING APPLICATION PARTS

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
  - a. ☐ Small Entity Statement(s)
3. ☒ Specification [Total Pages 48]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 USC 113) [Total Sheets 20]
- ☒ Oath or Declaration [Total Pages 4]
  - a. ☒ Newly executed (original or copy) ☐ Unexecuted
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 20 completed)  
[Note Box 6 below]
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
- ☐ Incorporation By Reference (useable if Box 5b is checked)  
The entire disclosure of the prior application, from which a  
copy of the oath or declaration is supplied under Box 5b, is  
considered as being part of the disclosure of the accompanying  
application and is hereby incorporated by reference therein.
7. ☐ Application Data Sheet. See 37 CFR 1.76
8. ☐ CD-Rom or CD-R in duplicate, large table or Computer  
Program (Appendix)

9. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies
10. ☒ Assignment Papers (cover sheet & document(s))
11. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
12. ☐ English Translation Document (if applicable)
13. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
14. ☐ Preliminary Amendment
15. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
16. ☒ Figure of Drawing to be published 1
17. ☒ Foreign priority claimed
  - a. ☒ Claim of Priority
  - b. ☒ Certified Copy of Priority Document(s)
18. ☒ Assignee: ASAHI KOGAKU KOGYO KABUSHIKI  
KAISHA and ASAHI SEIMITSU KABUSHIKI KAISHA both of  
Tokyo, JAPAN
19. ☒ Other: Cover Letter Regarding Executed Application

20. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior Application No. \_\_\_\_\_ / \_\_\_\_\_, filed \_\_\_\_\_.  
Prior application information: Examiner: \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

21. ☐ Amend the specification by inserting before the first line the sentence:This application is a    continuation-in-part,    continuation,    divisional, of Application No. \_\_\_\_\_ / \_\_\_\_\_, filed \_\_\_\_\_.Address all future correspondence to **Customer No. 7055** at the present address of:

GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

Date



007055

PATENT AND TRADEMARK OFFICE

*Bruce H. Bernstein*  
Signature  
33,329

Bruce H. Bernstein, Reg No. 29,027  
Typed or Printed Name

FEE TRANSMITTAL		Complete if Known	
		Application Number	Not Yet Assigned
		Filing Date	Concurrently Herewith
		First Named Inventor	M. SHIRAI et al.
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
TOTAL AMOUNT OF PAYMENT (\$) <u>942.00</u>		Attorney Docket Number	P21224

  

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																																				
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <u>19-0089</u></p> <p>Deposit Account Name <u>GREENBLUM &amp; BERNSTEIN P.L.C.</u></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3))</p> <p><input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b)</p> <p><input type="checkbox"/> Applicant Claims Small Entity Status See 37 CFR 1.27.</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p> <p style="text-align: center;"><b>FEE CALCULATION (fees effective 12/29/99)</b></p> <p><b>1. FILING FEE</b></p> <table style="width:100%;"> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> <tr> <td>101</td> <td>740</td> <td>201</td> <td>370</td> <td>Utility filing fee</td> <td><u>740</u></td> </tr> <tr> <td>106</td> <td>330</td> <td>206</td> <td>165</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>107</td> <td>510</td> <td>207</td> <td>255</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>108</td> <td>740</td> <td>208</td> <td>370</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>114</td> <td>160</td> <td>214</td> <td>80</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="5"><b>SUBTOTAL (1) (\$)</b></td> <td><u>740</u></td> </tr> </table> <p><b>2. CLAIMS</b></p> <table style="width:100%;"> <tr> <th>Total Claims</th> <th>Extra</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> <tr> <td><u>29</u> -20=</td> <td><u>9</u></td> <td><u>18</u></td> <td><u>162</u></td> </tr> <tr> <td><u>Independent</u> <u>2</u> -3=</td> <td><u>0</u></td> <td><u>84</u></td> <td><u>0</u></td> </tr> <tr> <td colspan="3">Multiple Dependent Claims _____ x <u>280</u></td> <td><u>0</u></td> </tr> </table> <table style="width:100%;"> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> <tr> <td>103</td> <td>18</td> <td>203</td> <td>9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>102</td> <td>84</td> <td>202</td> <td>42</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>104</td> <td>280</td> <td>204</td> <td>140</td> <td>Multiple dependent claim</td> <td></td> </tr> <tr> <td>109</td> <td>84</td> <td>209</td> <td>42</td> <td>Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>110</td> <td>18</td> <td>210</td> <td>9</td> <td>Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="5"><b>SUBTOTAL (2) (\$)</b></td> <td><u>162</u></td> </tr> </table>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	740	201	370	Utility filing fee	<u>740</u>	106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee		<b>SUBTOTAL (1) (\$)</b>					<u>740</u>	Total Claims	Extra	Fee from below	Fee Paid	<u>29</u> -20=	<u>9</u>	<u>18</u>	<u>162</u>	<u>Independent</u> <u>2</u> -3=	<u>0</u>	<u>84</u>	<u>0</u>	Multiple Dependent Claims _____ x <u>280</u>			<u>0</u>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20		102	84	202	42	Independent claims in excess of 3		104	280	204	140	Multiple dependent claim		109	84	209	42	Reissue independent claims over original patent		110	18	210	9	Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2) (\$)</b>					<u>162</u>	<p><b>3. 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late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR Prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for response within 1st month		116	400	216	200	Extension for response within 2nd month		117	920	217	460	Extension for response within 3rd month		118	1,440	218	720	Extension for response within 4th month		128	1,960	228	980	Extension for response within 5th month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive unavoidably abandoned application		141	1,280	241	640	Petition to revive unintentionally abandoned application		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	180	126	180	Submission of IDS		581	40	581	40	Recording each patent assignment per property (times number of properties)	<u>40</u>	146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify) _____						Other fee (specify) _____						<b>SUBTOTAL (3) (\$)</b>					<u>40</u>
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SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name		Bruce H. Bernstein		Reg. Number	29,027
Signature		<i>Bruce H. Bernstein</i>	Date	10/17/01	Deposit Account User ID

P21224.A01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Masami SHIRAI et al.

Applications Branch

Appln. No. : Not yet assigned

Filed : Concurrently herewith

For : A SURVEYING INSTRUMENT

**COVER LETTER REGARDING EXECUTED APPLICATION**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

The undersigned points out that the executed application being filed herewith includes pages 1 - 4 of the executed declaration which were forwarded to the undersigned by facsimile by Applicants' Japanese representative on October 17, 2001, and pages 1 - 48 of the specification (with Figures 1 - 33) which were earlier forwarded to the undersigned by Applicants' Japanese representative on October 12, 2001. Further, the undersigned has been advised by the Japanese representative that the inventors had reviewed the application before executing the declaration.

Accordingly, Applicants respectfully submit that the present application is properly executed and should be considered as filed in executed form. However, if the U.S. Patent and Trademark Office determines that the present application is not properly executed,

TOP SECRET

[illegible]

Should there be any questions regarding this paper, please contact the undersigned at the below listed number.

*Leslie J. Paperner* Reg. No. 33,329  
Bruce H. Bernstein  
Reg. No. 29,027

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